

Item 26: TRUTH Act Forum Questions Submitted by the Public

1. Public safety is dependent on community trust. The Sheriff's Department current entanglement with Department of Homeland Security (or DHS) agencies (such as Immigration and Customs Enforcement (or ICE) transfers and notifications, participating in joint task forces with DHS agencies, allowing ICE access to county facilities and parking lots, and sharing and receiving resources from DHS erodes community trust and makes all of us less safe. What would it take to end these practices immediately?
2. How many Non-Disclosure Agreements does the sheriff's department have with federal law enforcement agencies? How many with FBI, Homeland Security Investigations and Enforcement and Removal Operations specifically?
3. ICE transfers and notifications punish people twice for the same crime and mean that immigrants are treated differently than US citizens. This goes against the County's values of inclusion and equity. Will you, Interim Sheriff Ray and Undersheriff/Sheriff Elect Martinez, commit to ending transfers and notifications? ICE and Customs and Border Protection (or CBP) are not considered peace officers under California state law, yet they are on joint task forces with the Sheriff. Are CBP and ICE being cross deputized as local officers on these task forces? Why? How can you guarantee that collateral immigration arrests will not occur when working on joint task forces with ICE and CBP?
4. Regarding the Sheriff's Department's automated license plate reader (ALPR) program and data sharing via Motorola/Vigilant's LEARN database as well as through ARJIS -

In 2020 San Diego Immigrant Rights Consortium's report on SB45 compliance noted:

"...if the San Diego Sheriff's Department is only sharing their ALPR data with other local agencies who they already share that same data with on ARJIS, it would appear there is no need to use the LEARN database to share their data at all. SDIRC raised the question of the necessity of using two databases, and the San Diego Sheriff's Department committed to looking into that further."

Has the Sheriff's Department investigated this question as promised, and what answers can be provided today?

5. Is the Sheriff Department still using the Vigilant LEARN database? Which specific agencies have they shared ALPR data with during the past year? Which agencies' ALPR data has been accessed by SDSD during the past year? Has SDSD purchased or made plans to acquire any additional ALPR equipment, software, training, or data from Vigilant/Motorola Solutions? Is SD ALPR data accessible to ICE or any other federal agencies via Vigilant/Motorola, fusion centers, info-sharing agreements, joint task forces or other interagency collaborations? How can we be certain that our ALPR data are secure when SDSD shares data with law enforcement agencies that work with DHS and other federal agencies? What are the criteria/protocols for authorizing sharing? Who reviews and considers each individual request for SD ALPR data? Are officers trained to refuse to share ALPR data unless authorized? What are the consequences for not following these criteria/protocols? What independent audits were performed this past year? How many data

errors were discovered in ALPR information and how were the errors corrected? Where is this information available to the general public?

6. What is the retention period for ALPR data? What is the rationale for that retention period? Are there any non-law enforcement groups that receive the ALPR data that the San Diego Sheriff collects? Why is data retained at all when it is unrelated to active criminal investigations? How many SDSO staff have access to ALPR data?